

File



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/903,220	07/10/2001	Ronald L. Jones	SONGP002	9957
22434	7590	11/30/2004	EXAMINER	
BEYER WEAVER & THOMAS LLP			KNOLL, CLIFFORD H	
P.O. BOX 778			ART UNIT	
BERKELEY, CA 94704-0778			PAPER NUMBER	
			2112	
DATE MAILED: 11/30/2004				

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

### Application No.

09/903,220

### Applicant(s)

JONES ET AL.

### Examiner

Clifford H Knoll

### Art Unit

2112

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 11 January 2002.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### ***Claim Objections***

1. *Claim 15 is objected to because of the following informalities:*

The "reliquishing" should be "relinquishing". Appropriate correction is required.

### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. *Claims 1, 9, and 14 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.*

In all claims, "the external interface" lacks a clear antecedent basis.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Art Unit: 2112

3. *Claims 1-4, 6 and 8-12 are rejected under 35 U.S.C. 102(e) as being anticipated by Abecassis (US 6192340).*

Regarding claims 1 and 9, Abecassis discloses a controller portion with processor, keypad and display (e.g., col. 9, lines 36-40) with multi-media content derived from a multi-media card (e.g., col. 7, lines 40-42), cartridge portion having a slave processor which decodes multi-media content as directed by the host processor (e.g., col. 9, lines 56-62), a slave processor arranged to decode the multi-media content file (e.g., col. 10, lines 56-61), an I/O interface includes an external controller, the external controller supersedes the host processor such that the external device is enabled to store the selected multi-media content to the multi-media card (e.g., col. 13, line 62 – col. 14, line 7, col. 14, lines 60-65).

Regarding claims 2 and 10, Abecassis also discloses memory and interface (e.g., col. 13, lines 62-67), and a modem to connect the slave processor to a distributed network of interconnected computers (e.g., Fig. 4).

Regarding claims 3 and 11, Abecassis also discloses the header and payload portions of the multi-media content (e.g., col. 18, lines 1-6).

Regarding claims 4 and 12, Abecassis also discloses liner notes portion (e.g., col. 25, lines 49-50), advertising portion arranged to provide an advertisement file (e.g., col. 25, lines 51-52), a cover graphics portion (e.g., col. 18, lines 8-16).

Regarding claim 6, Abecassis also discloses in the controller portion a power supply unit arranged to provide an appropriate power supply voltage to the cartridge portion (e.g., col. 26, lines 62-65) and the controller portion (e.g., col. 9, lines 35-36), a

Art Unit: 2112

keypad input feedback unit arranged to provide real time feedback to a user supplied input command (e.g., col. 9, lines 50-55).

Regarding claim 8, Abecassis also discloses a multi-media data pack for creating a formatted multi-media data pack for storage (e.g., col.7, lines 33-35).

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. *Claims 5 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Abecassis as applied in parent claims, in view of Suga (US 5699359).*

Regarding claims 5 and 13, Abecassis also discloses providing graphical information to the device, but does not expressly mention the packet format for correlated graphics portion; however, this feature is disclosed by Suga. Suga discloses the correlated graphics portion used to form a video stream (e.g., col. 11, lines 20-24). It would have been obvious to combine Suga with Abecassis because Suga teaches the advantages of allowing communications with a personal multi-media device, such as that of Abecassis, provide the a video stream packet (e.g., col. 2, lines 38-44). Therefore it would have been obvious to one of ordinary skill in the art to combine Suga with Abecassis to obtain the claimed invention.

5. *Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Abecassis as applied in the parent claim, in view of Nahi (US 6166734).*

Regarding claim 7, Abecassis also discloses a display (e.g., col. 9, lines 36-38), but does not expressly mention the particular type of display; however this feature is disclosed by Nahi. Nahi discloses the LCD display (e.g., col. 7, line 60 – col. 8, line 2). It would have been obvious to combine Nahi with Abecassis because Nahi expressly notes the clear advantages of the conventional use of LCD displays in portable devices, owing to light-weight, and reasonable sturdiness. Therefore, it would have been obvious one of ordinary skill in the art to combine Nahi with Abecassis to obtain the claimed invention.

6. *Claims 14-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Abecassis in view of Stone (US 5630174).*

Regarding claim 14, Abecassis discloses initializing the host and slave processor (e.g., col. 9, lines 53-55), downloading a selected content file by the slave processor based upon a user supplied selection command (e.g., col. 10, lines 11-14), parsing the content file by the slave and passing an image data file to the slave processor by the mailbox and notifying the host that the mailbox has the image data file (e.g., col. 9, lines 56-62), decoding an audio content file by the slave processor associated with the image data file (e.g., col. 9, line 63 – col. 10, line 2), outputting substantially simultaneously the

Art Unit: 2112

image data file by the host processor and the decoded audio content file by the slave processor (e.g., col. 11, lines 29-30). Abecassis does not expressly mention determining if a multi-media card is connected to the PMD and downloading from the multi-media card; however this detail is disclosed by Stone. Stone discloses detecting (e.g., col. 4, lines 2-12), and downloading a multi-media file (e.g., col. 4, lines 19-26). It would have been obvious to combine Stone with Abecassis because Stone teaches the advantages of determining the presence of a multi-media card in order to make use of the multi-media content. Therefore, it would have been obvious one of ordinary skill in the art to combine Stone with Abecassis to obtain the claimed invention.

Regarding claim 15, Abecassis also discloses superseding operation of the host by an external host (e.g., col. 11, lines 52-57), formatting a file stored in external memory into a format consistent with the content file, transferring and relinquishing control (e.g., col. 13, line 62 – col. 14, line 7, col. 14, lines 60-65).

### ***Conclusion***

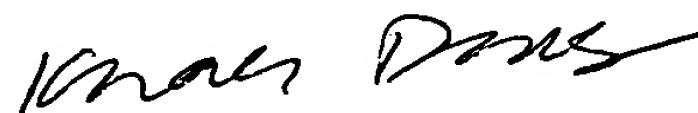
The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Cubbage (US 6126332) also discloses a controller and cartridge portion. Chung (US 6628963) discloses more details of the controller.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Clifford H Knoll whose telephone number is 571-272-3636. The examiner can normally be reached on M-F 0630-1500.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mark H Rinehart can be reached on 571-272-3632. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



chk

Khanh Dang  
Primary Examiner